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Docket No. K21516USWO (C038435/0188255)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS  
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT  
COOPERATION TREATY CONCERNING A FILING UNDER 35 U.S.C. §371

*In re* Application of: )  
Luca BARELLA *et al.* )  
Based on Int'l Application No.: PCT/EP2003/013665 ) Examiner: Not yet assigned  
International Filing Date: 4 December 2003 ) Art Unit: Not yet assigned  
Filed: Herewith )  
For: **NOVEL USE OF LYCOPENE** )

New York, New York  
June 3, 2005

**PRELIMINARY AMENDMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, please enter the amendment set forth below. Because this Preliminary Amendment is being filed concurrently with the above-identified application, no fee is believed due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Please amend the application as follows:

**AMENDMENTS TO THE SPECIFICATION** begin on page 3 of this paper.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 4 of this paper.

**REMARKS** begin on page 10 of this paper.